

MR. WATTLES - 1 June 71

MIRIAM - ~~Does Mr. C.~~
want to see?

75W
We should let other
interested people
know
2 JUN 1971
(over)

TRANSMITTAL SLIP		DATE	MAY 19/71
TO:			
Executive Director-Comptroller			
ROOM NO.	BUILDING		
7D59	Hqs		
REMARKS:			
<p><i>Return ADD/S</i></p> <p><i>W</i></p> <p><i>POW</i></p>			
FROM:			
ADD/S			
ROOM NO.	BUILDING	EXTENSION	
7D18	Hqs		

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

2 June 71

In view of fact D/S and D/L did receive cys, RSW says additional cys do not have to be forwarded -- considered not necessary to forward LKW's comments.

p.

DD/S 71-2149

MEMORANDUM FOR THE RECORD

P I L E *Personnel* 19

SUBJECT : Request to Lower the Flag in Respect to General Cabell

REFERENCE: Proclamation No. 3044, March 1, 1954, 19 F.R. 1235, subj:
Display of Flag at Half-staff Upon Death of Certain Officials
and Former Officials

1. In accordance with the Reference, the Director gave his approval to lower the flag in respect to General Cabell. In turn, the Office of Security was requested to take the appropriate action. The Captain of the GSA Guard Force refused to lower the flag until he had received official permission to do so from GSA authorities.

2. A call was placed to Mr. A. Sampson, Commissioner, Public Buildings Service. He was not in the office and the undersigned was referred to Mr. Innamorati, Assistant Commissioner for Buildings Management. Mr. Innamorati was not available but returned the call later. He referred to the Proclamation and indicated that GSA would be happy to comply with the Agency's request to lower the flag. He explained that:

a. In respect to paragraph 5 of the Proclamation, the Headquarters Building is considered by GSA to be under the jurisdiction of Mr. Kunzig -- GSA maintains housekeeping/upkeep.

b. GSA would not lower the flag until and unless they received a request from the Director.

c. Paragraph 2 of the Proclamation governs the period during which the flag is so flown.

3. It was agreed that, because it is considered too late to lower the flag today, GSA will do so tomorrow and on Friday. The Director of Security's secretary was given this information.

4. For our guidance in the future, should such an unhappy event occur, we should first check the Director's wishes and, should they be that the flag be lowered, this Office should, by telephone, request the Commissioner of PBS to give the authorization through his channels to the Captain of the Guard.

/s/ Robert S. Wattles
Robert S. Wattles
Assistant Deputy Director
for Support

Att
Cy of Ref

Distribution:

- Orig - DD/S Subject, w/Att
1 - DD/S Chrono, w/o Att
1 - Executive Director-Comptroller, w/Att ✓
1 - General Counsel, w/Att
1 - Director of Security, w/Att
1 - Director of Logistics, w/Att

This of course was done — and
it is mere that key people in
DD/S know the procedure
so that the necessary can
be done without inordinate
delay

[Redacted Box]

28 May 11
2

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PATRIOTIC CUSTOMS

36 § 175

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground. June 22, 1942, c. 435, § 3, 56 Stat. 378; Dec. 22, 1942, c. 806, § 3, 56 Stat. 1075; July 9, 1953, c. 183, 67 Stat. 142.

Historical Note

1953 Amendment. Subsec. (c). Act July 9, 1953, added second sentence.

Subsec. (m). Act Dec. 22, 1942, substituted "lowering" for "hauling" in third sentence.

1942 Amendment. Subsec. (i). Act Dec. 22, 1942, added "or so suspended that its folds fall as free as though the flag were staffed", and omitted provisions when displayed against a wall or in a window.

Legislative History. For legislative history and purpose of Act July 9, 1953, see 1953 U.S. Code Cong. and Adm. News, p. 1850.

PROCLAMATION NO. 3044

March 1, 1954, 19 F.R. 1235

DISPLAY OF FLAG AT HALF-STAFF UPON DEATH OF CERTAIN OFFICIALS AND FORMER OFFICIALS

WHEREAS it is appropriate that the flag of the United States of America be flown at half-staff on Federal buildings, grounds, and facilities upon the death of principal officials and former officials of the Government of the United States and the Governors of the States, Territories, and possessions of the United States as a mark of respect to their memory; and

(b) The Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives: for ten days from the day of death.

(c) An Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force: from the day of death until interment.

WHEREAS it is desirable that rules be prescribed for the uniform observance of this mark of respect by all executive departments and agencies of the Government, and as a guide to the people of the Nation generally on such occasions:

2. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the metropolitan area of the District of Columbia on the day of death and on the following day upon the death of a United States Senator, Representative, Territorial Delegate, or the Resident Commissioner from the Commonwealth of Puerto Rico, and it shall also be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the State, Congressional District, Territory, or Commonwealth of such Senator, Representative, Delegate, or Commissioner, respectively, from the day of death until interment.

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America and Commander in Chief of the armed forces of the United States, do hereby prescribe and proclaim the following rules with respect to the display of the flag of the United States of America at half-staff upon the death of the officials hereinafter designated:

3. The flag of the United States shall be flown at half-staff on all buildings and grounds of the Federal Government in a State, Territory, or possession of the United States upon the death of the Governor of such State, Territory, or possession from the day of death until interment.

1. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions for the period indicated upon the death of any of the following-designated officials or former officials of the United States:

(a) The President or a former President: for thirty days from the day of death.

The flag shall also be flown at half-staff for such period at all United States embassies, legations, and other facilities abroad, including all military facilities and naval vessels and stations.

4. In the event of the death of other officials, former officials, or foreign dignitaries, the flag of the United States shall be displayed at half-staff in accordance

36 § 175**PATRIOTIC SOCIETIES, ETC.****Ch. 10**

with such orders or instructions as may be issued by or at the direction of the President, or in accordance with recognized customs or practices not inconsistent with law.

5. The heads of the several departments and agencies of the Government may direct that the flag of the United States be flown at half-staff on buildings, grounds, or naval vessels under their jurisdiction on occasions other than those specified herein which they consider proper, and that suitable military honors be rendered as appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

DWIGHT D. EISENHOWER

Cross References.

Display of replica of flag used in War of 1812 for twenty-four hours each day in Flag House Square, Baltimore, Maryland, as subject to this section, see note under section 174 of this title.

Notes of Decisions**Generally 1****Height of flag 2****Injunction against display of flag 3****1. Generally**

This section respecting position of American flag when displayed or carried with other flags was not intended to prescribe behavior but was rather fashioned as an expression of prevalent custom regarding the display of the American flag. State of Del. ex rel. Trader v. Hodsdon, D.C.Del.1967, 205 F.Supp. 308.

Flying the flag of Republic of Panama and flag of United States in Canal Zone at equal heights on separate flag poles did not violate this section. Id.

2. Injunction against display of flag

United States District Court did not have jurisdiction to enjoin defendant from flying the flag of the United Nations above and to the right of the American flag in front of his residence. State of Del. ex rel. Trader v. Hodsdon, D.C. Del.1967, 205 F.Supp. 308.

2. Height of flag

In this section "equal" does not mean equal height. Doyle v. Fleming, D.C.Canal Zone 1963, 219 F.Supp. 277.

§ 176. Same; respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

(a) The flag should never be displayed with the union down save as a signal of dire distress.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as drapery of any sort whatsoever, never festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged

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with the blue above the red; it should be used for platform, and for

(e) The flag shall be displayed in such a manner as to be clearly visible and not aged in any way.

(f) The flag shall

(g) The flag shall not be used for any purpose for which it was not designed, nor attached to any sign, picture, or

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(i) The flag shall not be used for any purpose for which it was not designed, nor attached to any sign, picture, or

(j) The flag, when used for any purpose for which it was not designed, shall preferably be by law Dec. 22, 1942, c. 806, §

1942 Amendment. 1

1. Refusal to salute the flag. Standing silently with others salute and fly the flag of the United States.

§ 177. Same

During the ceremony of passing the flag is passing, the person should face the flag. Men in uniform should remove the left shoulder and salute in. Women should salute to the flag. At the moment the flag is passed, Dec. 22, 1942, c.

MR. COFFEY - 

7 JUN 1971

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Personnel 19

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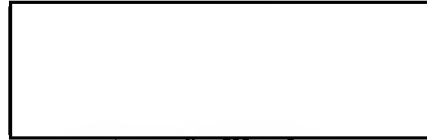
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Assistant Deputy Director
for Support

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Legislative History. For legislative history and purpose of Act July 9, 1953, see 1953 U.S. Code Cong. and Adm. News, p. 1850.

PROCLAMATION NO. 3044

March 1, 1934, 19 F.R. 1235

DISPLAY OF FLAG AT HALF-STAFF UPON DEATH OF CERTAIN OFFICIALS AND FORMER OFFICIALS

WHEREAS it is appropriate that the flag of the United States of America be flown at half-staff on Federal buildings, grounds, and facilities upon the death of principal officials and former officials of the Government of the United States and the Governors of the States, Territories, and possessions of the United States as a mark of respect to their memory; and

WHEREAS it is desirable that rules be prescribed for the uniform observance of this mark of respect by all executive departments and agencies of the Government, and as a guide to the people of the Nation generally on such occasions:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America and Commander in Chief of the armed forces of the United States, do hereby prescribe and proclaim the following rules with respect to the display of the flag of the United States of America at half-staff upon the death of the officials hereinafter designated:

1. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions for the period indicated upon the death of any of the following-designated officials or former officials of the United States:

(a) The President or a former President: for thirty days from the day of death,

The flag shall also be flown at half-staff for such period at all United States embassies, legations, and other facilities abroad, including all military facilities and naval vessels and stations.

(b) The Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives: for ten days from the day of death.

(c) An Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force: from the day of death until interment.

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36 § 175**PATRIOTIC SOCIETIES, ETC.****Ch. 10**

with such orders or instructions as may be issued by or at the direction of the President, or in accordance with recognized customs or practices not inconsistent with law.

5. The heads of the several departments and agencies of the Government may direct that the flag of the United States be flown at half-staff on buildings, grounds, or naval vessels under their jurisdiction on occasions other than those specified herein which they consider proper, and that suitable military honors be rendered as appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

[SEAL]

DWIGHT D. EISENHOWER

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with the blue above the red should be used for platform, and for

(e) The flag should be displayed in such a manner as to be clearly visible in any way.

(f) The flag should be displayed

(g) The flag should not be used as a sign, picture, or decoration

(h) The flag should be displayed holding, carrying,

(i) The flag should be displayed in any manner whatsoever as cushions or impressed on paper for temporary use or athletic uniform staff or halyard

(j) The flag, with its fitting emblem for the United States, preferably by the Dec. 22, 1942, c. 806, §

1942 Amendment. 1

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